



Department of Justice

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Western District of Kentucky

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LOUISVILLE MAN SENTENCED TO 6½ YEARS FOR RECEIVING AND POSSESSING CHILD PORNOGRAPHY

– Had local charges of sodomizing a minor

LOUISVILLE, KY - Shawn Christopher Cowley, age 33, of Louisville, Kentucky, in Jefferson County, was sentenced to 6½ years' imprisonment in United States District Court, Louisville, Kentucky, for receiving and possessing child pornography, U.S. Attorney David L. Huber announced today. Charles R. Simpson, III, Judge, United States District Court, also sentenced Cowley to 10 years' supervised release following incarceration. There is no parole in the federal judicial system. Cowley had pled guilty to one count of receiving and one count of possessing child pornography.

U.S. Attorney David L. Huber praised the Jeffersontown Police Department and the Commonwealth Attorney's Office for their investigation and prosecution of Cowley that led to the federal charges. "Together we put away a pedophile from our community and spared child victims from testifying in court. Working together we can achieve more."

On May 19, 2005, a Jefferson County Grand Jury returned a 30-count Indictment against Cowley. The Indictment charged Cowley with multiple instances of sodomy (including first, second, and third degree), six counts of third degree unlawful transaction with a minor, and two counts of intimidating a witness. According to court records, Cowley remained in custody from May 23, 2005, until approximately August 25, 2005, at which point he was released on a cash and property bond. These charges have since been dismissed in lieu of the federal prosecution.

The Facts

On December 6, 2005, a Jeffersontown (“J-town”) Police Department Detective presented an Affidavit for Search Warrant to a Jefferson County District Judge. The affidavit advised that prior to the May 19, 2005, date, law enforcement officials had executed a state Search Warrant on Cowley’s residence, with the intent of seizing Cowley’s computer and related materials. The computer system, however, could not be located in the home. A family member told law enforcement that the computer had been sold in a yard sale. However, in early December 2005, the J-town Detective received information that Cowley was still in possession of the aforementioned computer system and that it was located at Cowley’s mother’s home. The person providing the information gave an address on Montana Avenue, Louisville, Kentucky, as Cowley’s mother’s address. The person providing the information also advised that Cowley was currently residing at the Montana Avenue address. The affidavit included additional information in support of the request for the Search Warrant for Montana Avenue.

On December 6, 2005, a Jefferson District Judge issued a Search Warrant for the Montana Avenue address. Among other things, the warrant authorized the seizure of computers and computer systems to be searched for evidence relating to the original sodomy, unlawful transaction with a minor, and intimidating a witness charges. Two HP Pavilion computers were seized from the Montana Avenue residence.

The J-town detective submitted the seized computers to the Lexington Police Department (“LPD”), computer forensic services unit for forensic examination. An LPD detective conducted a preliminary examination of both computers on December 14, 2005. During the course of the preliminary examination, the LPD detective found several files containing suspected child pornography. The LPD detective contacted the J-town detective and requested that the J-town detective seek a search warrant authorizing further search for evidence relating to child pornography.

On May 31, 2006, the J-town detective presented an Affidavit for Search Warrant to a Jefferson County District Judge. The judge issued a Search Warrant that same day. The warrant authorized search of two computers, an HP Pavilion 532W #KR22514143 and HP Pavilion 503W #MX236A6214 for evidence including, but not limited to, child pornography.

The LPD detective conducted further examination of the computers pursuant to the May 31, 2006, Search Warrant. He found no evidence on one computer, HP Pavilion 503W #MX236A6214. On the second computer, HP Pavilion 532W #KR22514143, however, the LDP detective recovered information indicating Internet searches for “preteen,” “pre teen nude,” “incest,” and “family.” The computer records revealed numerous visits to web sites with titles suggesting the presentation of child pornography. Additionally, the detective recovered several images of suspected child pornography. A sampling of the images are described as follows:

(a) an image recovered from unallocated clusters showing a male child, approximately 12-14 years of age shown nude in an outdoor setting. The male child is kneeling behind another nude person (small in stature). The second nude person is on his/her hands and knees. The face and front part of his/her body is not shown. The male child is shown inserting his penis into the anus of the person on his/her hands and knees;

(b) a file from D:\Documents and Settings\Owner\Local Settings\Temporary Internet Files\Content.IE5 which included a still image depicting a minor female, approximately 13-15 years of age. The female's breasts are bare and she is shown lying back on a bed. There is very little breast development. The female is shown performing oral sex on an erect, adult male penis. The file created, last accessed, and last written information indicates 12/06/05 at 07:22:42 p.m.;

(c) a file from D:\Lost Files\ showing the same child described above. In this image, the male is lying on his back with his legs spread and in the air. He is naked from the waist down. The female child is photographed licking the adult male scrotum. The file created, last accessed, and last written information indicates 12/06/05 at 07:22:18 p.m.; and

(d) a file from D:\Documents and Settings\Owner\Shared\Thumbs.db\Thumbnail Cache Volume(V5)\Root Entry\ which shows two side-by-side images of a small child lying on a dark pink spread. The child is wearing light pink. One images shows her legs drawn up as if in the fetal position. The other image shows her underpants being pulled away to reveal her naked pubic area. The child's face is not shown. The legs are very small indicating a young child, approximately under the age of 8-10. The last

written information for the file shows a date and time of 11/05/05 at 07:10:48 p.m. The same images were recovered from D:\Documents and Settings\Owner\Local Settings\Application Data\Google\Google Desktop Search\rpm.cf1. The file data shows a last accessed date and time of 11/16/05 at 02:44:16 p.m., file created date and time of 10/30/05 at 11:27:54 p.m., and last written date and time of 11/05/05 at 07:59:41 p.m.

On November 1, 2006, law enforcement officials executed a federal arrest warrant on Cowley. The warrant authorized his arrest on charges of receiving and possessing child pornography. A Louisville federal grand jury subsequently returned a three-count Indictment against Cowley. The Indictment charged Cowley with receiving child pornography, in violation of 18 U.S.C. §§ 2252A(a)(2) and 2252A(b)(1). Count 2 charged Cowley with possessing child pornography, in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(2). Count 3 set forth forfeiture allegations regarding a computer and computer-related items. Cowley pled guilty to the charges on March 6, 2007.

This case was prosecuted as part of Project Safe Childhood. In February 2006, Attorney General Alberto R. Gonzales launched Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse. Led by the United States Attorneys Offices, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend, and prosecute individuals who exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafechildhood.gov/.

Assistant United States Attorney Jo E. Lawless prosecuted the case. The Jeffersontown Police Department, in close association with the Federal Bureau of Investigation and the Lexington Police Department conducted the investigation.

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